

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.29590 of 2015
and M.P.No.1 of 2015

1.E.Kandasamy
2.K.Thilagam

... Petitioners

-Vs-

1.The State of Tamil Nadu
rep by its Secretary,
Revenue Department, Fort St.George,
Chennai - 600 009.

2.The State of Tamil Nadu,
rep by its Principal Secretary,
Public Works Department,
Fort St.George, Chennai - 600 009.

3.The District Collector,
Salem District, Salem.

4.The District Revenue Officer,
Office of the District Collector,
Salem.

5.The Revenue Divisional Officer,
Attur Taluk, Attur,
Salem District.

6.The Tahsildar,
Attur Circle, Attur,
Salem District.

7.Sree Jayamurugan Sago Factory,
rep by its Proprietor N.Manoj,
S/o. Natarajan,
Factory premises in Survey No.1/3B,
Mummudi Village, Thalaivasal,
Attur Taluk, Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents 1 to 6 to forthwith remove the two pipelines laid by the 7th respondent in the Vasishta River at Mummudi Village, Thalaivasal, Attur Taluk, Salem District and thereby prevent the 7th respondent from illegally tapping the river water for his factory premises namely Sree Jayamurugan Sago Factory in Survey No.1/3B, Mummudi Village, Thalaivasal, Attur Taluk, Salem District.

For Petitioners: Mr.K.Selvaraj
For Respondents: Mr.P.Sanjay Gandhi,
Additional Government Pleader (R1 to R6)

O R D E R

The petitioners are said to be owners of the agricultural land measuring an extent of 9 acres 60 cents in Survey Nos.1/1C, 1/6, 3/2A, 5/1A, 5/3A and 5/4A situated at Mummudi Village, Attur Taluk, Salem District.

2.With the grievance that the respondent no.7 has illegally laid pipelines beneath Vasishta River and drawing water to his factory premises, apart from letting in effluents into the river, which affects the rights of the petitioners, a representation was made on 04.02.2015. Though the representation was acknowledged, there was no response. The petitioners made another representation on 20.04.2015 to the respondent no.1.

3.The learned counsel for the petitioners submitted that though the petitioners have sought for larger relief, it is suffice to direct the respondent no.1 to look into the request made and take appropriate action.

4.Considering the submission made, without going into the merits of the case, a direction is issued to the respondent no.1 to dispose of the representation of the petitioners dated 04.02.2015 within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity to the petitioners as well as to the respondent no.7.

5.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

va

To

1.The Secretary to
the State of Tamil Nadu
Revenue Department, Fort St.George,
Chennai - 600 009.

2.The Principal Secretary to
the State of Tamil Nadu,
Public Works Department,
Fort St.George, Chennai - 600 009.

3.The District Collector,
Salem District, Salem.

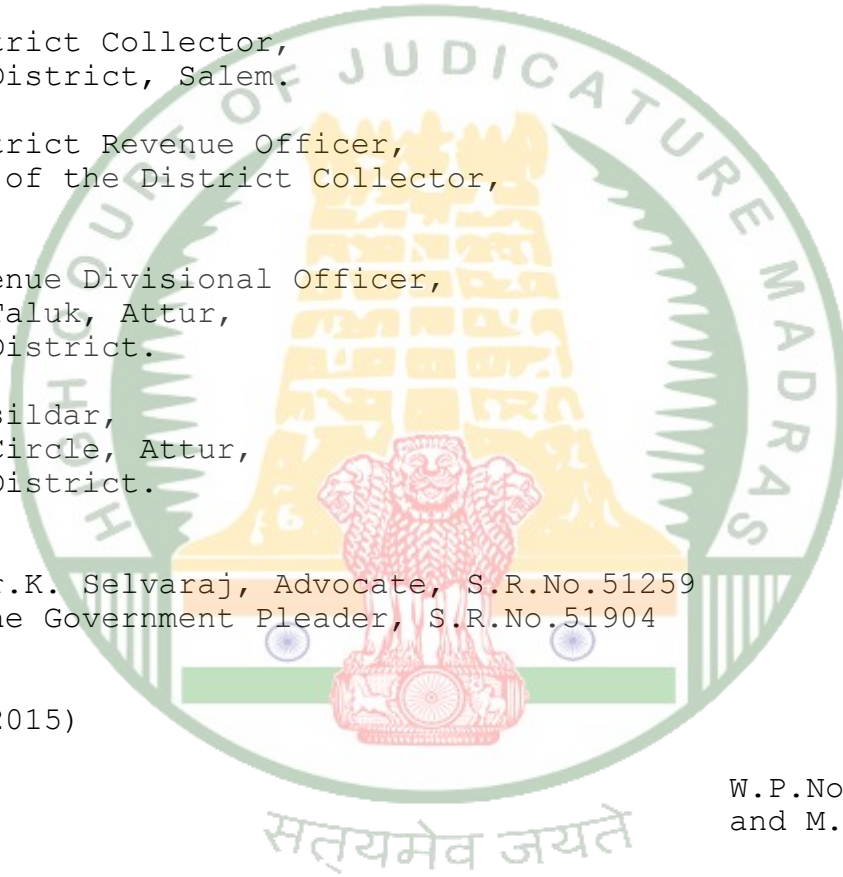
4.The District Revenue Officer,
Office of the District Collector,
Salem.

5.The Revenue Divisional Officer,
Attur Taluk, Attur,
Salem District.

6.The Tahsildar,
Attur Circle, Attur,
Salem District.

+1cc to Mr.K. Selvaraj, Advocate, S.R.No.51259
+1cc to the Government Pleader, S.R.No.51904

RSI (CO)
EU(05/10/2015)



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